

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER A. SPALLUTO and
ACCESS WITH SUCCESS, INC.,
Plaintiffs

v.

CIVIL ACTION NO.:
05-10385-EFH

BAKEY'S INCORPORATED,
Defendant.

ORDER

March 27, 2007

HARRINGTON, S.D.J.

Count I of this case shall be tried before the Court sitting without a jury on Monday, April 9, 2007, at 9:00 A.M. in Judge Harrington's courtroom (No. 13 on the fifth floor). In Count I the plaintiffs are seeking federal equitable injunctive relief under 42 U.S.C. § 12181(7)(E). The Court severs Counts II and III, counts sounding in alleged violations of Massachusetts statutory and constitutional laws, from the trial of this case at this time.

SO ORDERED.

/s/ Edward F. Harrington
EDWARD F. HARRINGTON
United States Senior District Judge